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*Attorneys for Defendant/Cross-Claimant – Hobby Lobby Stores, Inc.*

**UNITED STATES DISTRICT COURT**

**CLARK COUNTY, NEVADA**

Anna Rebecca Garcia, individually, and as  
heir, and as Special Administrator of the Estate  
of Decedent Enrique Alberto Garcia; Anna  
Sofia Garcia, an individual,

Plaintiffs,

vs.

Hobby Lobby Stores, Inc., a foreign  
corporation; 601-699 Whitney Ranch Center,  
LLC a foreign limited liability company; Roe  
Contractors I through X, inclusive; Does I  
through X, inclusive; and ROE Corporations I  
through X, inclusive,

Defendants.

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HOBBY LOBBY STORES, INC.

Cross-Claimant,

vs.

601-699 WHITNEY RANCH CENTER, LLC.

Cross-Defendant.

CASE NO. 2:23-cv-00134-APG-BNW

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

**[FIRST REQUEST]**

IT IS HEREBY STIPULATED AND AGREED upon between the parties, by and through  
their respective attorneys of record, to extend the current discovery dates by ninety (90) days,  
pursuant to LR 26-3 and LR IA 6-1. This is the parties' First Request to extend discovery dates.  
This stipulation is made in good faith and not for purposes of delay. Good cause exists for this  
extension.

1    **A. DISCOVERY COMPLETED**

2       The following discovery has been completed:

3       1.     An FRCP 26(f) meeting was held telephonically on March 3, 2023, by and  
4     between the attorneys for Plaintiffs, Hobby Lobby Stores, Inc., and 601-609 Whitney Ranch  
5     Center, LLC;

6       2.     Defendant/Cross-Claimant Hobby Lobby Stores, Inc. served its First (Initial)  
7     FRCP 26(a)(1) Disclosure on March 7, 2023;

8       3.     Defendant/Cross-Claimant Hobby Lobby Stores, Inc. served Interrogatories 1-17  
9     to Plaintiff Anna Rebecca Garcia on March 7, 2023;

10      4.     Defendant/Cross-Claimant Hobby Lobby Stores, Inc. served Interrogatories 1-10  
11     to Plaintiff Anna Sofia Garcia on March 7, 2023;

12      5.     Defendant/Cross-Claimant Hobby Lobby Stores, Inc. served Interrogatories 1-16  
13     to Plaintiff Estate of Enrique Garcia on March 7, 2023;

14      6.     Defendant/Cross-Claimant Hobby Lobby Stores, Inc. served Requests for  
15     Production 1-5 to Plaintiff Anna Rebecca Garcia on March 7, 2023;

16      7.     Defendant/Cross-Claimant Hobby Lobby Stores, Inc. served Requests for  
17     Production 1-5 to Plaintiff Anna Sofia Garcia on March 7, 2023;

18      8.     Defendant/Cross-Claimant Hobby Lobby Stores, Inc. served Requests for  
19     Production 1-9 to Plaintiff Estate of Enrique Garcia on March 7, 2023;

20      9.     Defendant/Cross-Claimant Hobby Lobby Stores, Inc. served its Second FRCP  
21     26(a)(1) Disclosure on March 14, 2023;

22      10.    The parties filed a Proposed Joint Discovery Plan and Scheduling Order on March  
23     17, 2023;

24      11.    Plaintiffs served their Initial FRCP 26(a)(1) Disclosure on March 17, 2023;

25      12.    Defendant/Cross-Defendant 601-609 Whitney Ranch Center, LLC served its  
26     Initial FRCP 26(a)(1) Disclosure on March 22, 2023;

27      13.    Plaintiffs served their First Set of Interrogatories to Defendant/Cross-Claimant  
28     Hobby Lobby Stores, Inc. on March 29, 2023;

1           14.     Plaintiffs served their First Set of Requests for Production to Defendant Hobby  
2 Lobby Stores, Inc. on March 29, 2023;

3           15.     Plaintiffs served their First Set of Requests for Production to Defendant 601-609  
4 Whitney Ranch Center, LLC on March 29, 2023;

5           16.     Plaintiffs served their First Set of Interrogatories to Defendant Hobby Lobby  
6 Stores, Inc. on March 29, 2023;

7           17.     Plaintiffs served their First Set of Interrogatories to Defendant 601-609 Whitney  
8 Ranch Center, LLC on March 29, 2023;

9           18.     Defendant/Cross-Defendant 601-609 Whitney Ranch Center, LLC served its First  
10 Supplement to FRCP 26(a)(1) Disclosure on April 4, 2023;

11           19.     Plaintiffs served their First Supplement to FRCP 26(a)(1) Disclosure on April 20,  
12 2023;

13           20.     Plaintiff Anna Rebecca Garcia served her Responses to Hobby Lobby Stores  
14 Inc.'s Interrogatories 1-17 on April 20, 2023;

15           21.     Plaintiff Anna Rebecca Garcia served her Responses to Hobby Lobby Stores  
16 Inc.'s Requests for Production 1-5 on April 20, 2023;

17           22.     Plaintiff Anna Sofia Garcia served her Responses to Hobby Lobby Stores Inc.'s  
18 Interrogatories 1-10 on April 20, 2023;

19           23.     Plaintiff Anna Sofia Garcia served her Responses to Hobby Lobby Stores Inc.'s  
20 Requests for Production 1-5 on April 20, 2023;

21           24.     Plaintiff Estate of Enrique Garcia served its Responses to Hobby Lobby Stores,  
22 Inc.'s Interrogatories 1-16 on April 20, 2023; and

23           25.     Plaintiff Estate of Enrique Garcia served its Responses to Hobby Lobby Stores,  
24 Inc.'s Requests for Production 1-9 on April 20, 2023.

25 **B.     DISCOVERY THAT REMAINS TO BE COMPLETED**

26           The following discovery remains to be completed:

27           1.     Deposition of Plaintiff Anna Rebecca Garcia;

2. Deposition of Plaintiff Anna Sofia Garcia;
3. Deposition of the Special Administrator of the Estate of Enrique Garcia;
4. Deposition(s) of the FRCP 30(b)(6) representative(s) for Hobby Lobby Stores, Inc;
5. Deposition(s) of the FRCP 30(b)(6) representative(s) for 601-609 Whitney Ranch Center, LLC;
6. Initial Expert depositions;
7. Rebuttal expert depositions;
8. Other depositions, as needed;
9. Initial expert disclosures;
10. Rebuttal expert disclosures;
11. Propound additional discovery requests, as needed;
12. Obtain additional or updated medical records, as needed; and
13. Obtain other relevant documents and material, as needed.

This list is not exhaustive.

**C. REASONS WHY REMAINING DISCOVERY CANNOT BE TIMELY COMPLETED.**

The parties have been diligent and actively engaged in discovery, including completion of the above-listed discovery, however require additional time to conduct additional discovery. There has been a recent change of counsel in this matter. Specifically, on April 7, 2023, Defendant/Cross-Claimant Hobby Lobby Stores, Inc. substituted the law firm of Wilson Elser Moskowitz Edelman & Dicker LLP and its attorneys with the law firm of Hall Jaffe & Clayton LLP and its attorneys. *See* ECF No. 26. During this time, the attorneys of Hall Jaffe & Clayton were in the process of obtaining all documents and material from Wilson Elser, in order to effectively carry out representation of Hobby Lobby Stores, Inc. There also was an inter-office

change of counsel on April 7, 2023, between the attorneys for Defendant/Cross-Defendant 601-609 Whitney Ranch Center, LLC. *See* ECF No. 25. Accordingly, due to the recent change of law firms and counsel in this matter, the parties require additional time to conduct the above-remaining discovery, including, but not limited to, obtaining additional documents and information in preparation of initial and rebuttal expert disclosures. The parties therefore respectfully request that the Court grant this Stipulation and Order to Extend Discovery (First Request) and that the below proposed dates be adopted.

This stipulation is not submitted for any improper purpose or to unnecessarily delay the proceedings. The parties submit that good cause exists to grant the ninety (90) day extension of discovery deadlines. This is the parties' first request for extension.

**D. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING DISCOVERY.**

	<b><u>Current Dates:</u></b>	<b><u>Proposed Dates:</u></b>
Close of Discovery:	August 30, 2023	<b>November 22, 2023</b>
Amend/Add Parties:	June 1, 2023	<b>August 30, 2023</b>
Initial Experts:	June 30, 2023	<b>September 28, 2023</b>
Rebuttal Experts:	July 31, 2023	<b>October 30, 2023</b>
Dispositive Motions:	September 29, 2023	<b>December 28, 2023</b>

The parties hereby respectfully request that this Stipulation and Order to Extend Discovery (First Request) be granted and that the Court adopt the proposed dates set forth above. This Stipulation and Order is timely under LR 26-3, as more than twenty-one days remain before the deadlines in this matter close.

1 DATED this 4th day of May 2023.

2 **HENNESS & HAIGHT**

3  
4 */s/ Jacob S. Smith*

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6 Jacob S. Smith, Esq.  
7 David T. Gluth, Esq.  
8 8972 Spanish Ridge Avenue  
9 Las Vegas, Nevada 89148  
10 *Attorneys for Plaintiffs*

DATED this 9th day of May 2023.

**RAY LEGO & ASSOCIATES**

*/s/ Timothy F. Hunter*

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Timothy F. Hunter, Esq.  
7450 Arroyo Crossing Pkwy.  
Suite 250  
Las Vegas, Nevada 89113  
*Attorneys for Defendant/Cross-Defendant*  
*601-609 Whitney Ranch Center, LLC*

9 DATED this 9th day of May 2023.

10 **HALL JAFFE & CLAYTON, LLP**

11 */s/ Michael R. Hall*

12 \_\_\_\_\_  
13 MICHAEL R. HALL, ESQ.  
14 Nevada Bar No. 5978  
15 7425 Peak Drive  
16 Las Vegas, Nevada 89128  
17 *Attorneys for Defendant/Cross-Claimant*  
18 *Hobby Lobby Stores, Inc.*

19 **ORDER**

20 **IT IS SO ORDERED**

21 **DATED:** 4:28 pm, May 10, 2023

22 

23 **BRENDA WEKSLER**  
24 **UNITED STATES MAGISTRATE JUDGE**